

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

MAURICE-EDWARD: THOMPSON,

Plaintiff,

v.

CIVIL ACTION NO. 2:24-cv-00268

S. WILSHIRE,

Defendant.

MEMORANDUM OPINION AND ORDER

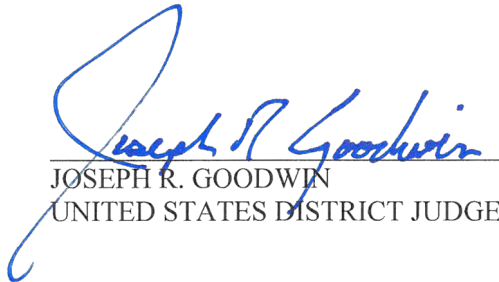
This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On September 5, 2025, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendations [ECF No. 30] (“PF&R”) and recommended that Defendant’s motion be denied without prejudice, and Plaintiff be granted a reasonable period of time from the presiding District Judge’s adjudication of the instant PF&R to file a second amended complaint.

A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R. Defendant's motion is **DENIED without prejudice**, and Plaintiff is permitted thirty days to file a Second Amended Complaint.

The court **DIRECTS** the Clerk to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented party.

ENTER: October 2, 2025



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE